

**PRE-EMPTION TO SETTLERS IN WISKONSAN.**

[To accompany bill H. R. No. 509.]

**JUNE 24, 1842.**

Mr. CASEY, from the Committee on the Public Lands, submitted the following

**REPORT :**

The Committee on the Public Lands, to which was referred the memorial of the Legislature of Wiskonsan, in behalf of the settlers on the lands reserved to the United States by the law granting a quantity of land to aid in the construction of the Milwaukie and Rock river canal, upon examination, find that, at the 1st session of the 26th Congress, the Committee on the Public Lands made a report and reported a bill, which report is adopted by this committee, and a bill reported accordingly.

**APRIL 24, 1840.**

Mr. REYNOLDS, from the Committee on the Public lands, to whom was referred the memorial of the Legislative Assembly of Wiskonsan, and the petitions of the settlers on the Milwaukie and Rock river canal lands, in relation to the rights of those settlers, submitted the following report :

By the provisions of the act of Congress granting a quantity of land to aid in the construction of a canal from Milwaukie to Rock river, the alternate sections along the route are reserved to the United States, to be sold at not less than two dollars and fifty cents the acre, and not subject to the right of pre-emption.

Some of the tracts thus reserved were settled upon previously to the date of the above grant, and without the slightest anticipation that such a grant would be made, and before any prohibition had been made to construct a canal through them.

The settlers, at the period of the commencement of their cultivation, had the same reasonable expectation of being embraced in the provisions of any pre-emption act to be passed by Congress as their neighbors, between whom it does not appear that any just distinction can or ought to be made. To require those people to pay for advantages which they did not seek, and which are still entirely prospective, and to pay double the amount which is demanded of purchasers on the banks of lakes and rivers which are now navigable, is too unequal a rule to be sustained by any principle of justice. The canal is not only unfinished, but it is not commenced ; and these set-

tlers may not derive any benefit whatever from the location of the canal; for, if the work is not completed in ten years from the 18th of June 1838, it may be entirely abandoned by the Territorial Government, and prosecuted no further. It seems, therefore, that these settlers may be required to pay a high price for their farms, when the advantages which are promised, and on account of which the price is thus raised, may never accrue.

Your committee beg leave to refer to the memorial of the Legislative Assembly of Wisconsin for a more particular statement of the facts in this case, and that it may be received as a part of this report; and they report a bill to enable these settlers to avail themselves of the benefit of the provisions of the pre-emption laws, and to which they would have been entitled but for this unexpected legislation of Congress.

## REPORT

The Committee on the Public Lands, to which was referred the memorial of the Legislature of Wisconsin, in behalf of the settlers on the lands reserved to the United States by the law granting a quantity of land to aid in the construction of the Milwaukee and Rock river canal, upon examination find that at the last session of the 26th Congress, the Committee on the Public Lands made a report and reported a bill, which report is adopted by this committee, and a bill reported accordingly.

April 24, 1840.

Mr. Raynolds, from the Committee on the Public Lands, to whom was referred the memorial of the Legislative Assembly of Wisconsin, and the petition of the settlers on the Milwaukee and Rock river canal lands, in relation to the rights of those settlers, submitted the following report:

By the provisions of the act of Congress granting a quantity of land to aid in the construction of a canal from Milwaukee to Rock river, the alternate sections along the route are reserved to the United States to be sold at not less than two dollars and fifty cents the acre, and not subject to the laws of pre-emption.

Some of the tracts thus reserved were settled upon previously to the date of the above grant, and without the slightest anticipation that such a grant would be made, and before any prohibition had been made to construct a canal through them.

The settlers, at the period of the commencement of their cultivation, had the same reasonable expectation of being embraced in the provisions of any pre-emption act to be passed by Congress as their neighbors, between whom it does not appear that any just distinction can or ought to be made. To require those people to pay for advantages which they did not seek, and which are still entirely prospective, and to pay double the amount which is demanded of purchasers on the banks of lakes and rivers which are now navigable, is too unequal a rule to be sustained by any principle of justice. The canal is not only unfinished, but it is not commenced; and these set-